

WESTERN DISTRICT OF VIRGINIA

Roanoke Division

JAN 06 2020

United States of America

JULIA C. DUDLEY, CLERK
BY: A. Geeson
DEPUTY CLERK

v

Case No: 08-cr-054

William A White

Judge Dillon

Defendant

MOTION TO UNSEAL THE SEARCH WARRANTS OF MAY 2, 2008,

AND AUGUST 21, 2008

Comes now the Defendant, William A White, and, I Move This Court To Unseal the Search Warrants issued by this Court in this matter on or about May 2, 2008, and, August 21, 2008, and, to direct the Clerk to provide me with a copy of the same. In support, I state as follows:

- 1) As previously pled, and, as most recently detailed in the Amended Fed.R.Civ.P. 60(d)(3) Motion in United States v White WD Va 13-cr-013, the United States obtained the convictions in this matter in part through a fraudulent scheme designed to conceal the origins of the evidence presented at trial, and, in furtherance of this scheme, the United States obtained search warrants and sat Grand Juries in judicial districts around the country without any intent of bringing process in those districts, and, then, laundered the documents into this investigation; this technique is generally known as "parallel construction."
- 2) The two 18 USC §875(c) convictions in this matter are the subject of 28 USC §2241 action which has been pending in the Southern District of Illinois for almost four years. When the Southern District of Illinois manages to clear its multi-year backlog of cases, and, rules

on the motion, this matter will be sent to this court for sentencing on the final 18 USC §1512(b) count, at which time not only my right to bring pre-sentencing Brady motions will reattach, but, also, upon entry of a new sentence, my 28 USC §2255 rights. Also, an appeal of this Court's finding that it lacks jurisdiction to consider newly found Brady issues without pre-filing authorization from the Fourth Circuit pends, and, the United States has still not disclosed what the Brady material it is withholding in this matter is (despite disclosing that it is continuing to withhold Brady material in 2018). Thus, there are several possible ways that this case will be re-opened, and, Brady issues may be addressed.

- 3) The FBI has been disclosing the hundreds of thousands of pages of documents it is holding related to my prosecutions at the rate of no more than 500 pages of documents per months since it lost summary judgment in White v Dep't of Justice 2018 US Dist LEXIS 8075 (SD Ill 2018). The US Attorney's Office, the US Marshals Service, and, multiple other federal agencies continue to refuse to disclose their records despite pending litigation for them to do so.
- 4) On December 27, 2019, for the first time, the FBI disclosed to me the existence of search warrants which it obtained, in one case presumably in this district, in the other case in this district, on May 2, 2008, and, August 21, 2008. To my knowledge, the existence of these search warrants has never been previously disclosed, and, was not disclosed to my defense counsel during the course of these proceedings. The FBI has withheld all specifics of these warrants on the basis that they remain sealed, as per the attached documents.
- 5) I now move the Court to unseal these two search warrants and to instruct the court to provide me with copies of them. Because the Un-

ited States has no plausible basis to oppose this motion, I will not brief the US Const Amend I issues involved at this time; suffice to say that this is a twelve year old search warrant in a closed case whose only possible value lies in leading me to additional government misconduct in the obtaining of this conviction.

For the above good cause shown, I Move this Court to Unseal the Search Warrants of May 2, 2008, and, August 21, 2008.

Respectfully Submitted,



William A White #13888-084
USP-Marion
PO Box 1000
Marion, IL 62959

CERTIFICATE OF SERVICE

I hereby certify that this Motion to Unseal was mailed to the Clerk of the Court and the US Attorney's Office for the Western District of Virginia, 1st Class Postage prepaid, this 30th day of December, 2019.



William A White

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